

5/18/92
PATENT

Response under 37 CFR 1.116
Expedited procedure
Group Art Unit 1811

CHIR-001/01US

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231, on January 17, 1992
(Date of Deposit)

Date: January 17, 1992

By: Melissa Luebkeman
Melissa Luebkeman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Gary Van Nest et al. 08/155,003
08/418,870 Serial No. 08/528,593

Filed: May 24, 1990

For: ADJUVANT FORMULATION
COMPRISING A SUBMICRON
OIL DROPLET EMULSION

Examiner: Kraus, E.

Art Unit: 1811

RESPONSE UNDER CFR 1.116

BOX AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Responsive to the FINAL REJECTION of November 18, 1991, Applicant respectfully requests reconsideration of the above-identified application in view of the following amendments and remarks.

The Examiner is respectfully requested to enter the following amendments.

IN THE CLAIMS

29. (Twice Amended) A method of stimulating an immune response in a host animal, comprising:

administering an antigen to said animal in the presence of an immunostimulating amount of [submicron] metabolizable oil

C /
Contd.



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MAIL AND MAIL

JAN 23 1992

OXAF PATENT TRADEMARK
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
Gary Van Nest, et al.)
Serial No. 07/528,593)
Filed: May 24, 1990)
For: ADJUVANT FORMULATION)
COMPRISING A SUBMICRON)
OIL DROPLET EMULSION)

Examiner: Kraus, E.
Art Unit: 1811
RESPONSE/AMENDMENT
TRANSMITTAL
Palo Alto, CA 94306

Commissioner of Patents and Trademarks
BOX AF
Washington, D.C. 20231

Sir:

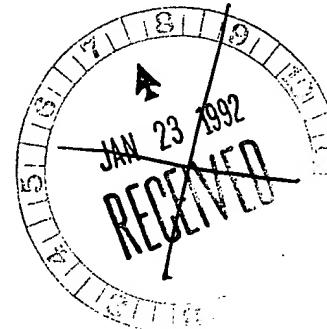
Transmitted herewith is a(n) Amendment/Response in the above-identified application.

- Small entity status of this Application under 37 CFR 1.9 and 1.27 has been established by a Verified Declaration previously submitted.
- A Verified Declaration of Small Entity Status Under 37 CFR 1.9 and 1.27 is enclosed.

Also enclosed:

- Information Disclosure Statement
- Declaration
- Associate Power of Attorney

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BOX AND FILE

Other:

The fees have been calculated as shown below:

Claims	Remain after Amend.	Highest No. Prev. Pres.			<u>Small Entity</u>		<u>Large Entity</u>		
		Paid	Extra	Rate	Fee	Rate	Fee		
Total:	35	-	35	=	0	x \$10	=	x \$20	=
Indep:	2	-	3	=	0	x \$36	=	x \$72	=
If Multiple Dependent Claims are used for the first time in this application, add					+ \$110	=	+ 220	=	

Total Additional Claims Fee: \$0.

Extension of Time: Small Entity Large Entity

<input type="checkbox"/>	One Month.....	\$ 55.00
<input type="checkbox"/>	One Month.....	\$110.00
<input type="checkbox"/>	Two Months.....	\$175.00
<input type="checkbox"/>	Two Months.....	\$350.00
<input type="checkbox"/>	Three Months....	\$405.00
<input type="checkbox"/>	Three Month.....	\$810.00
<input type="checkbox"/>	Four Months....	\$640.00
<input type="checkbox"/>	Four Months.....	\$1,280.00

Extension of Time Fee: \$

Other fees (list individually)

(none)

Total Other Fees: \$ 0

TOTAL FEES: \$ 0.00

- A check including the amount of the above indicated TOTAL FEES is attached.
- Please charge Deposit Account No. 03-3117 in the amount of \$.
- A check in the amount of \$ ___ is attached.
- No fee is required.

Conditional Petition for Extension of Time: An extension of time is requested to provide for timely filing if



an extension of time is still required after all papers filed with this transmittal have been considered.

The Commissioner is hereby authorized to charge any underpayment of the following fees associated with this communication, including any necessary fees for extension of time, or credit any overpayment to Deposit Account No. 03-3117:

Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

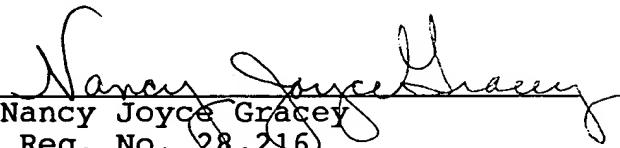
Any patent application processing fees under 37 CFR 1.17.

A duplicate copy of this sheet is attached for accounting purposes.

Respectfully submitted,

COOLEY GODWARD CASTRO
HUDDLESON & TATUM

Date: January 7, 1992

By: 
Nancy Joyce Gracey
Reg. No. 28,216

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